



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,914	01/16/2004	George Joseph Oswald	49239.0001	7068

57600 7590 11/03/2006

HOLLAND & HART LLP
60 E. SOUTH TEMPLE
SUITE 2000
SALT LAKE CITY, UT 84111

EXAMINER

HU, KANG

ART UNIT	PAPER NUMBER
----------	--------------

3709

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/758,914

Applicant(s)

OSWALD, GEORGE JOSEPH

Examiner

Kang Hu

Art Unit

3709

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 10/26/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/2/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Specification

1. The use of the trademark Playstation, Playstation 2, X-Box, Nintendo Game Cube and Macintosh on page 4, lines 17-19 has been noted in this application. It should be capitalized such as -- PLAYSTATION, PLAYSTATION2, X-BOX, NINTENDO GAME CUBE, and MACINTOSH -- wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Appropriate correction is required.

Claim Objections

2. Claim 27 is objected to because of the following informalities:

Re claim 27, lines 2-3: "further comprising a controller member attached to the second cross member platform attached to the controller member" is suggested to be -- further comprising a controller member attached to the second cross member platform -- in order to avoid redundancy.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2-6, 11 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 2-3: the claim recites the limitation “the adjustable pedal platform” in line 2.

There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the adjustable pedal mount --.

Re claim 4-6: the claim recites the limitation “the adjustable controller platform” in line

2. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the adjustable controller mount --.

Re claim 11: the claim recites the limitation “Playstation, Playstation 2, X-Box, Nintendo

Game Cube and Macintosh” in lines 3-4. The use of trademarks in a claim not intended as a limitation in the claim cause confusion as to the scope of the claim. It is suggested that the applicant use generic term -- video game console -- instead.

Re claim 22: the claim recites the limitation “the control platform” in line 2. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the adjustable controller platform --.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-12, 14 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by May et al. (US 6,102,476).

Re claim 1: May discloses a video game cockpit comprising: a support apparatus (14), the support apparatus comprising: an adjustable pedal mount (47) (see col 3, lines 54-55); an adjustable controller mount (38, 42) (see col 3, lines 34 -39); a monitor stand (41) (see col 3, lines 37-40); a seat (11) attached to the support apparatus (14) (see fig 1; col 3, lines 1-3).

Re claim 2: May further discloses the adjustable pedal platform (47) comprises two degrees of freedom (fig 3; col 3, lines 53-55).

Re claim 3: May further discloses the adjustable pedal platform (47) is adjustable forward and backward and rotational about an axis (fig 3; col 3, lines 53-55).

Art Unit: 3709

Re claim 4: May further discloses the adjustable controller platform (38, 42) comprises three degrees of freedom (fig 2; col 3, lines 47-50).

Re claim 5: May further discloses the adjustable controller platform (38, 42) is adjustable forward and backward, up and down, and rotational about an axis (col 3, lines 49-55; col 4, lines 25-27).

Re claim 6: May further discloses the adjustable controller platform (38, 42) comprises a steering wheel platform (col 3, lines 34 - 45).

Re claim 7: May further discloses the seat is removably attached to the support apparatus (14) (col 4, lines 35-38).

Re claim 8: May further discloses that the support apparatus is collapsible for easy storage (col 2, lines 11-12).

Re claim 9: May further discloses a game console mount (16) attached to the support apparatus (14) (fig 1; col 3, lines 11-24).

Re claim 10: May further discloses the game console mount being receptive of any computer game console (col 4, lines 28-30).

Art Unit: 3709

Re claim 11: May further discloses the game console mount attached to the support apparatus receptive of any one of: a Playstation console, a Playstation 2 console, an X-box console, a Nintendo Game Cube console, and a personal computer (col 4, lines 28-30).

Re claim 12: May further discloses a keyboard mounting arm (43) attached to the support apparatus (col 3, line 49-55).

Re claim 14: May further discloses a game console mounted to the cockpit (col 4, lines 28-30).

Re claim 17: May further discloses the monitor stand comprises an adjustable monitor stand (col 3, lines 38-42; col 4, lines 25-27).

7. Claims 23, 24, 26, 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Brister (US 2002/0011374A1).

Re claim 23: Brister discloses a portable video game cockpit, comprising: first and second side members (A) spaced from one another; a first nose cross-member (B) attached transversely between first ends of the first and second side members (A); a chair cross-member (C) attached transversely between second ends of the first and second side members; a second nose member (E) attached transversely between the first and second side members (A) at a spacing between the first nose cross-member (B) and the chair cross-member (C); a chair (D) attached to the chair cross-member (C); first and second angled members (F) attached to and extending upward from the first nose cross-member (B) at first ends thereof; a first upper member (G) attached at a first

Art Unit: 3709

end to a second end of the first angled member (F) and a second upper member (G) attached at a first end to a second end of the second angled member (F), the first and second upper members (G) extending in a direction toward the chair (D); a third angled member (J) attached to the first end of the first side member (A) and a fourth angled member (J) attached to the first end of the second side member (A), the third and fourth angled members (J) extending in a direction toward the chair (S); a second cross member (H) attached to second ends of the third and fourth angled members (J), and also attached to second ends of the first and second upper members (G) (see examiner attached fig 2).

Re claim 24: Brister further discloses a first brace (I) attached to the second end of the first side member (A) and extending to an attachment point between the first and second ends of the third angled member (J); a second brace (I) attached to a second end of the second side member (A) and extending to an attachment point between the first and second ends of the fourth angled member (J) (see examiner attached fig 2).

Re claim 26: Brister further discloses the controller member is attached to the second cross member (H) (see examiner attached fig 2).

Re claim 29: Brister further discloses the first and second upper members are substantially horizontal and parallel to one another, with a spacing there between less than the spacing between the first and second side members (see examiner attached fig 2).

Art Unit: 3709

Re claim 30: Brister further discloses wherein the first and second side members, the first nose cross-member, the chair cross-member, the second nose member, the first and second angled members, the first and second upper members, the third and fourth angled members, and the second cross member each comprise tubulars (page 2, paragraph 33-34)

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

9. Claims 1, 2, 4, 6, 7, 9, 12, 13, 15, 17, 39 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Baru (US 2004/0155493A1).

Re claim 1: Baru discloses a computer workplace, comprising: a support apparatus (14), the support apparatus comprising: an adjustable pedal mount (44, 48) (see page 4, paragraph 54); an adjustable controller mount (14) (see page 4, paragraph 57); a monitor stand (10) (page 3, paragraph 50); a seat (1) attached to the support apparatus (14) (see fig 3; page 3, paragraph 50).

Re claim 2: Baru further discloses the adjustable pedal platform (44, 48) comprises two degrees of freedom (page 4, paragraph 54).

Re claim 4: Baru further discloses the adjustable controller platform (54) comprises three degrees of freedom (see fig 3; page 4, paragraph 54 and 57).

Re claim 6: Baru further discloses the adjustable controller platform (54) comprises a steering wheel platform (page 4, paragraph 57).

Re claim 7: Baru further discloses the seat is removably attached to the support apparatus (14) (page 3, paragraph 50).

Re claim 9: Baru further discloses a game console mount (54) attached to the support apparatus (14) (page 4, paragraph 57).

Re claim 12: Baru further discloses a keyboard mounting arm (54) attached to the support apparatus (14) (page 4, paragraph 57).

Re claim 13: Baru further discloses a plurality of tubular members interconnected by adjustable, removable couplings (page 2, paragraphs 25, 29).

Re claim 15: Baru further discloses one or more pedals mounted to the adjustable pedal mount (see page 4, paragraph 54) and a controller mounted to the adjustable controller mount (see page 4, paragraph 57).

Re claim 17: Baru further discloses the monitor stand comprises an adjustable monitor stand (page 3, paragraph 52).

Re claim 39: Baru discloses of a method of making a video game cockpit for providing a support apparatus, attaching an adjustable pedal mount to the support apparatus; attaching an adjustable controller mount to the support apparatus; providing a monitor stand portion of the support apparatus; attaching a seat to the support apparatus (page 2, paragraphs 32-35; page 4, paragraph 57).

Re claim 40: Baru further discloses of a method of making a video game cockpit further comprising mounting one or more pedals to the adjustable pedal mount; mounting a controller to the adjustable controller mount; setting a monitor on the monitor stand portion (page 2, paragraphs 32-35; page 3, paragraph 50).

10. Claims 1, 2, 6-9, 11, 12, 14, 18, 19, 34, 35, 37 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Masaya et al. (US 2005/0009611A1).

Re claim 1: Masaya discloses a video game cockpit, comprising: a support apparatus (36), the support apparatus comprising: an adjustable pedal mount (33); an adjustable controller mount (39, 44); a monitor stand (38); a seat (21) attached to the support apparatus (36) (see fig 1).

Re claim 2: Masaya further discloses the adjustable pedal platform (33) comprises two degrees of freedom (page 1, paragraph 14; page 1, paragraph 16).

Art Unit: 3709

Re claim 6: Masaya further discloses the adjustable controller platform (39, 44) comprises a steering wheel platform (page 1, paragraph 15).

Re claim 7: Masaya further discloses the seat is removably attached to the support apparatus (36) (page 1, paragraph 13 and 14).

Re claim 8: Masaya further discloses the support apparatus (36) is collapsible for convenient storage (page 1, paragraph 16).

Re claim 9: Masaya further discloses a game console mount (30, 44) attached to the support apparatus (36) (fig 1).

Re claim 11: Masaya further discloses the game console mount attached to the support apparatus receptive of any one of: a Playstation console, a Playstation 2 console, an X-box console, a Nintendo Game Cube console, and a personal computer (page 1, paragraph 3).

Re claim 12: Masaya further discloses a keyboard mounting arm (39) attached to the support apparatus (fig 1).

Re claim 14: Masaya further discloses a game console mounted (39, 44) to the cockpit (fig 1).

Art Unit: 3709

Re claim 18: Masaya discloses a simulation apparatus, comprising a cockpit assembly, the cockpit assembly comprising: a seat (20); a cage (30) attached to the seat (20), the cage (30) comprising: an adjustable pedal platform (33) spaced from the seat (20); an adjustable controller platform (39, 44); a monitor stand (38); a game console mount (30, 44) (fig 1).

Re claim 19: Masaya further discloses a keyboard mounting arm (39) (fig 1).

Re claim 34: Masaya discloses an open framework of adjustable interconnected members, an adjustable pedal platform (33) attached to a first of the interconnected members (36); an adjustable steering platform (39) attached to a second of the interconnected members; a adjustable monitor stand (38) comprising a third and fourth of the interconnected members (page 1, paragraph 13).

Re claim 35: Masaya discloses a video game console mount attached to a fifth of the interconnected members (30) (fig 1).

Re claim 37: Masaya discloses a keyboard mounting arm (44) attached to a sixth of the interconnected members (page 1, paragraph 14).

Re claim 38: Masaya discloses a cage (30) is connected to a chair (20) (fig 1).

Art Unit: 3709

11. Claims 23, 24 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Brasseal et al. (US 2004/0129489A1).

Re claim 23: Brasseal discloses a portable video game cockpit, comprising: first and second side members (A) spaced from one another; a first nose cross-member (B) attached transversely between first ends of the first and second side members (A); a chair cross-member (C) attached transversely between second ends of the first and second side members; a second nose member (E) attached transversely between the first and second side members (a) at a spacing between the first nose cross-member (B) and the chair cross-member (C); a chair (D) attached to the chair cross-member (C); first and second angled members (F) attached to and extending upward from the first nose cross-member (B) at first ends thereof; a first upper member (G) attached at a first end to a second end of the first angled member (F) and a second upper member (G) attached at a first end to a second end of the second angled member (F), the first and second upper members (G) extending in a direction toward the chair (D); a third angled member (J) attached to the first end of the first side member (A) and a fourth angled member (J) attached to the first end of the second side member (A), the third and fourth angled members (J) extending in a direction toward the chair (D); a second cross member (H) attached to second ends of the third and fourth angled members (J), and also attached to second ends of the first and second upper members (G) (see examiner attached fig 1).

Re claim 24: Brasseal further discloses a first brace (I) attached to the second end of the first side member (A) and extending to an attachment point between the first and second ends of the third angled member (J); a second brace (I) attached to a second end of the second side member (A)

Art Unit: 3709

and extending to an attachment point between the first and second ends of the fourth angled member (J) (see examiner attached fig 1).

Re claim 29: Brasseal further discloses the first and second upper members are substantially horizontal and parallel to one another, with a spacing there between less than the spacing between the first and second side members (see examiner attached fig 1).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over May et al. (US 6,102,476) in view of Brasseal et al. (US 2004/0129489A1). The teachings of May and Brasseal have been discussed above.

However May did not explicitly express in the invention that one or more pedals mountable to the adjustable pedal mount in a plurality of positions along a plane defining the adjustable pedal mount.

Brasseal teaches one or more pedals can be spaced apart advantageously by 1 to 2 inches (see page 3, paragraph 4) as discussed.

Therefore in view of Brasseal, it would have been obvious to one of ordinary skill in the art at the time the invention was made to mount one or more pedals in a plurality of positions along a plane defining the adjustable pedal mount in order to advantageously space the pedals apart for the best performance and realism to a real fighter simulator or a car racing simulator.

May and Brasseal are analogous art because they are from the same field of endeavor of cockpits for entertainment systems.

14. Claims 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masaya et al. (US 2005/0009611A1) in view of Baru (US 2004/0155493A1). The teachings of Masaya and Baru have been discussed above.

However Masaya did not explicitly express in the invention that the adjustable pedal platform and the adjustable controller platform are adjustable in at least six directions and the monitor stand is adjustable with the control platform.

Baru teaches that the adjustable pedal and the adjustable controller platform are adjustable in at least six directions and the monitor stand is adjustable with the control platform (page 1, paragraph 10; page 2, paragraph 32, 35; page 3, paragraph 50, 52) as described.

Therefore in view of Baru, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an adjustable pedal platform, an adjustable controller platform mount that are adjustable in at least six directions, and an adjustable monitor stand with the control platform to make it more convenient for the player to adjust the cockpit to his or her own liking.

Massaya and Baru are analogous art because they are from the same field of endeavor of cockpits for entertainment systems.

15. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brister (US 2002/0011374A1) in view of Nishimura (US 6,142,877). The teachings of Brister have been discussed above.

However Brister did not disclose a first non-tubular rod attached to the second end of the first side member and extending to an attachment point between the first and second ends of the third angled member; a second non-tubular rod attached to a second end of the second side member and extending to an attachment point between the first and second ends of the fourth angled member.

Nishimura teaches in his invention that the members used to assemble the cockpit are square-shaped rods (fig 2).

Therefore in view of Nishimura, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the tubular rods with square shaped rods in assembling the cage that forms the cockpit assembly to increase the structural strength of the cockpit.

Brister and Nishimura are analogous art because they are from the same field of endeavor of cockpit assembly.

16. Claims 21 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brasseal et al. (US 2004/0129489A1) in view of Fen-Ying Lai (GB 2389319A). The teachings of Brasseal have been discussed above.

However Brasseal did not explicitly express in the invention that the remaining components of the cockpit assembly are collapsible to no more than 12 inches in height and that the chair is detached from the chair cross-member, the first and second angled members are detached from the first and second upper members, and the portable video game cockpit is collapsed.

Lai teaches a collapsible rowing boat simulator that allows the user to collapse the rowing machine by folding the oars and grips inwardly to rest parallel to the beam in the abstract (see fig 13).

Therefore in view of Lai, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include pivotal connections to the rods in order to conveniently carry or store when not in use. Also to make the first and second upper members substantially horizontal and parallel to one another, with a spacing there between less than the spacing between the first and second side members. With the removal of the chair from the support apparatus the structure would easily collapse and fold into a much more compact size to save space for transport or storage.

17. Claims 26, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brasseal et al. (US 2004/0129489A1) in view of Masaya et al. (US 2005/0009611A1). The teachings of Brasseal and Masaya have been discussed above.

However Brasseal did not explicitly express in the invention that the controller member is attached to the second cross member. That the attachments between the members each comprise adjustable couplers receptive of the members and that the second nose member supports a pedal platform that is adjustable with the second nose member according to two degrees of freedom.

Masaya teaches that the controller member is attached to the second cross member (see fig 1) and that the cockpit assembly is easily assembled or disassembled for playing different games with the pedal platform adjustable by at least two degrees of freedom (page 1, paragraph 5).

Art Unit: 3709

Therefore in view of Masaya, it would have been obvious to one of ordinary skill in the art at the time the invention was made to mount the controller member to the second cross member, to use adjustable couplers receptive of the members and to attach an adjustable platform in at least two degrees to the second nose member in order to make the controller member more stable, to make the cockpit easily collapsible and foldable into a much more compact size to save space for transport or storage, and to allow the player more comfort inside the cockpit.

Brasseal and Masaya are analogous art because they are from the same field of endeavor of cockpits for entertainment systems.

18. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brister (US 2002/0011374A1) in view of Sweere et al. (US 5,992,809). The teachings of Brister have been discussed above.

However Brister did not explicitly express in the invention that the controller member attached to the second cross member has three degrees of freedom and that the first and second upper members comprise a plurality of mounting pads for supporting a video game monitor.

Sweere teaches in his invention for mounting system for flat panel display, keyboard, and stand that would allow the supporting arm to pivot in plurality of vertical, horizontal and elevational axis (col 1, lines 20-50).

Therefore in view of Sweere, it would have been obvious to one of ordinary skill in the art at the time the invention was made to mount the controller member to the most convenient location for making the controller member more staple; Suit the player the best by adjusting the controller member by its vertical, horizontal and elevational axis. And to attach pads to the support apparatus to support the video game monitors for keeping the display stable and secure to the upper member.

19. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Masaya et al. (US 2005/0009611A1) in view of May et al. (US 6,102,476). The teachings of Masaya and May have been discussed above.

However Masaya did not explicitly express in the invention of a video game console mount attached to a fifth of interconnected members, wherein a video game console is attached to the video game console mount.

May teaches in his invention for having a gaming console attached to the video console mount and attached to the support apparatus and to the seat (col 4, lines 25-30) as discussed.

Art Unit: 3709

Therefore in view of May, it would have been obvious to one of ordinary skill in the art at the time the invention was made to attach the game console to a game console mount to the support apparatus to make the gaming cockpit more organizational and be able to conveniently move the cockpit and the game console in one piece.

Masaya and May are analogous art because they are from the same field of endeavor of cockpits for entertainment systems.

20. Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baru (US 2004/0155493A1) in view of May et al. (US 6,102,476). The teachings of Baru and May have been discussed above.

However Baru did not explicitly express in the invention of a method of making a video game console mount attached to the support apparatus and a game console attached to the video console mount.

May teaches in his invention for having a gaming console attached to the video console mount and attached to the support apparatus and to the seat (col 4, lines 25-30) as discussed.

Therefore in view of May, it would have been obvious to one of ordinary skill in the art at the time the invention was made to attach the game console to a game console mount to the

Art Unit: 3709

support apparatus to make the gaming cockpit more organizational and be able to conveniently move the cockpit and the game counsel in one piece.

Baru and May are analogous art because they are from the same field of endeavor of cockpits for entertainment systems.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stephens discloses a training go-cart with multiple safety features. Alexis discloses of a go-cart type design with cage tubular assembly. McDowell discloses a video game racecar simulator assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kang Hu whose telephone number is (571)270-1344. The examiner can normally be reached on 7:30 - 5(M-F) (Off every other Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong-Suk (James) Lee can be reached on 571-272-7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3709

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KH/
Kang Hu
Oct 27, 2006



JONG SUK LEE
SUPERVISORY PATENT EXAMINER

Attachments: 1) Fig 1 of Brasseal et al. (US 2004/0129489A1)
2) Fig 1 of Brister (US 2002/0011374A1)

Examiner attachment Fig. 1

Attachment: Fig 1 of Brassel et al.

US 2004/0129489 A1

C. 1st & 2nd upper member
D. Chair

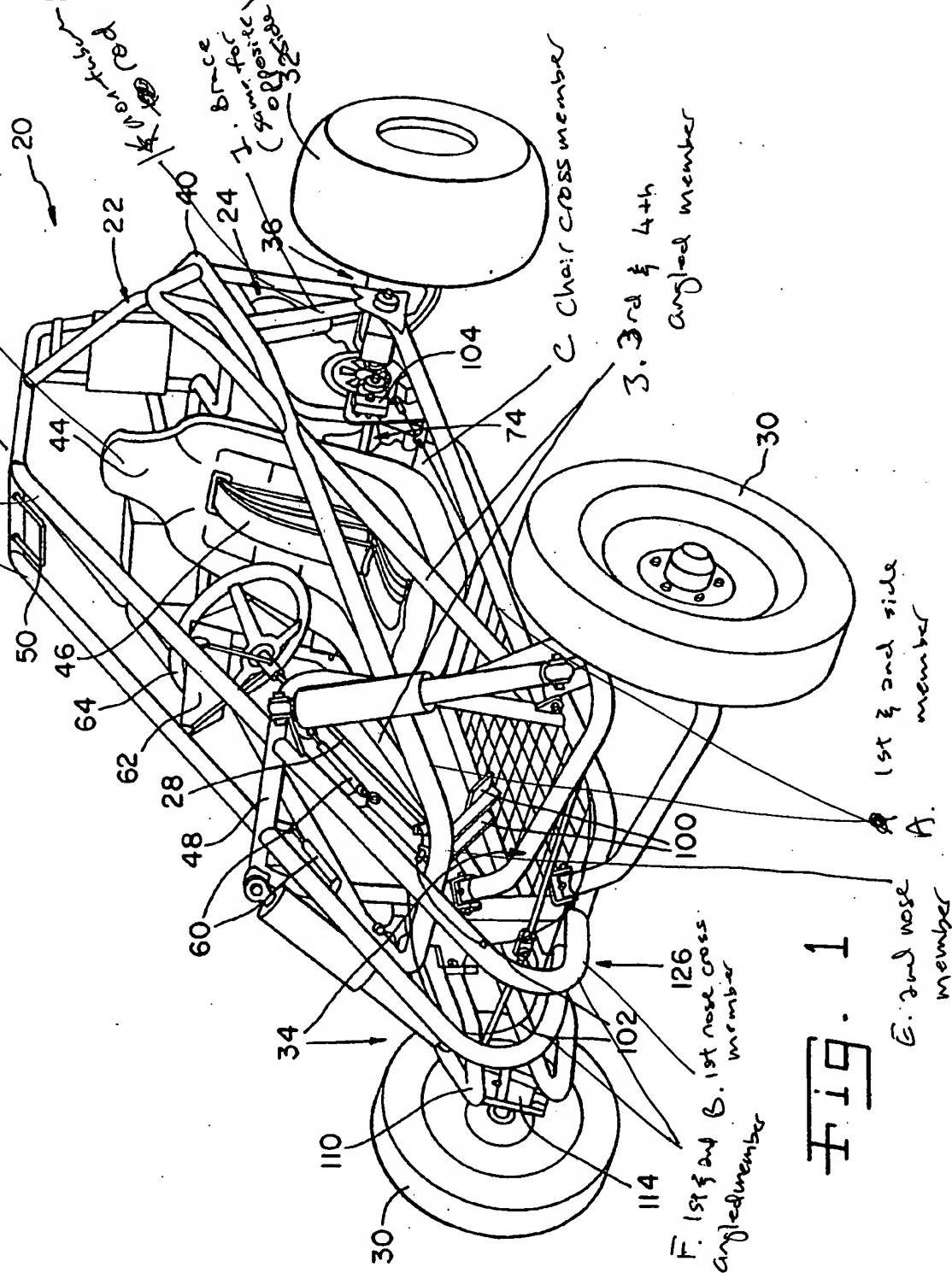


Fig. 1

Examine attachment fig 2

Attachment: Fig 1 of Brister

US 2002/0011374 A1

